

REMARKS

In response to the Office Action mailed March 3, 2005, Applicants amend their application and request reconsideration. In this Amendment claim 1 is cancelled and claims 10-15 are added so that claims 2-15 are now pending.

The Examiner requested a more descriptive title and a substitute title is supplied.

The Examiner objected to claim 3 on the grounds that the final line of the claim included a term lacking antecedent basis. In fact, there was no error in claim 3. Instead, the claims presented for examination were not examined. This patent application was filed with a Preliminary Amendment. Since the institution of the Image File Wrapper (IFW) there has been substantial confusion among Examiners in first examinations of patent application that include Preliminary Amendments. This error occurs because the U.S. Patent and Trademark Office separates the original claims from the specification of the patent application filed and records those claims as one item in the IFW. Likewise, claims submitted in a Preliminary Amendment are separated from the remainder of the Preliminary Amendment and entered as a second document in the IFW. Examiners are prone to overlook those amended claims or are confused by the presence of two sets of claims upon the first examination of a patent application. In any event, an extensive Preliminary Amendment was filed in this patent application and is present in the IFW. The amendments made here are made with respect to the claims presented for examination in the Preliminary Amendment. The claim 3 so presented contained no term that lacked antecedent basis. Therefore, further response to the objection is not required.

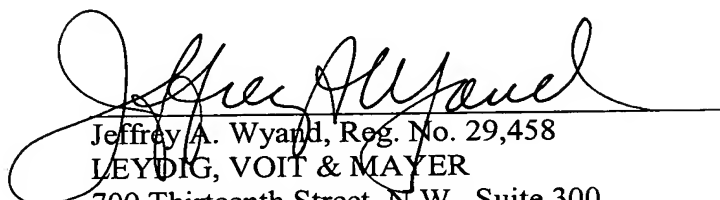
In preparing this Amendment, all of the claims were reviewed and amendments have been made for the purposes of clarity. Certain phrases, considered as a unit by the draftsman of the original claims, are repeated in the claims, leading to some difficulty in understanding. Many of those unnecessary repetitions have been eliminated.

Although claims 1, 8, and 9 were rejected in the Office Action, the Examiner stated that claims 2-7 were allowable. In this Amendment each of claims 2-5 is rewritten in independent form, taking into account the clarifying changes mentioned above. Claims 6 and 7 depend from independent claim 5. Claims 8 and 9 are amended to depend from claim 2, a claim acknowledged to be allowable. New claims 10-15 are derived from original claims 8 and 9 but depend from the newly independent claims 3-5. Thus, those newly added claims are likewise clearly allowable.

In re Appln. of OHMURA et al.
Application No. 10/765,861

The foregoing amendment places the application in form for allowance, which is earnestly solicited.

Respectfully submitted,


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Amendment or ROA - Regular (Revised 1-14/05)